

COORDINATION PLAN

Little Missouri River Crossing

Environmental Impact Statement

Project # 02-04(001)

PCN 16970

SAFETEA-LU Section 6002

November 2015

COORDINATION PLAN REVISION HISTORY

REVISION #	DATE	NAME/AGENCY	DESCRIPTION
1	December 2010	KLJ	Change in study area, revised NOI
2	December 2011	KLJ	Revised layout and changes in contact information
3	May 2012	KLJ	Revised project schedule
4	June 2012	KLJ	Updated USACE contact information
5	February 2014	KLJ	Updated agency contacts; updated schedule
6	April 2014	KLJ	Updated agency contacts
7	November 2014	KLJ	Updated agency contacts
8	November 2015	KLJ	Revised purpose statement, updated project location map, updated agency contacts, added consulting party, revised project schedule



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I. INTRODUCTION

The Federal Highway Administration (FHWA), in conjunction with the North Dakota Department of Transportation (NDDOT) and Billings County, has initiated an Environmental Impact Statement (EIS) for a proposed Little Missouri River Crossing (LMRC) in Billings County, North Dakota. The proposed project is located within a study area between the southern border of the North Unit of Theodore Roosevelt National Park, the northern border of the South Unit of Theodore Roosevelt National Park, US Highway 85, and ND Highway 16. The Elkhorn Ranch Unit of Theodore Roosevelt National Park has been excluded from the project study area.

The purpose of the proposed project is to provide for the safe and efficient movement of people and commerce through promotion of a reliable transportation system within Billings County. Specifically, the purpose of the proposed project is to:

- ◆ Improve the transport of goods and services within the study area;
- ◆ Provide the public with a safe, efficient, and reliable connection between the roadways on the east and west sides of the Little Missouri River within Billings County (internal linkage), while improving the connectivity and system linkage between the Billings County and Golden Valley County roadway networks, with the added benefit of providing an additional connection between ND Highway 16 and US Highway 85 within the study area.
- ◆ Construct a new river crossing over the Little Missouri River in a location that utilizes the existing transportation network, upgrading existing roadways and/or creating new roadways to best meet roadway and structure design standards.
- ◆ Accommodate a variety of vehicles, ranging from a two-wheel drive passenger vehicle to agricultural, commercial, and industrial vehicles and equipment.

The EIS will be developed in accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and the regulations of the Council on Environmental Quality (CEQ), 40 CFR parts 1500 through 1508. An EIS is a full disclosure document that details the process through which a project was developed, describes the purpose and need for action, includes consideration of a range of reasonable alternatives, analyzes the potential impacts resulting from the alternatives, and demonstrates compliance with other applicable environmental laws and executive orders.



Little Missouri River Crossing

Environmental Impact Statement
Project No. 02-04(001) PCN 16970

Study Area Map

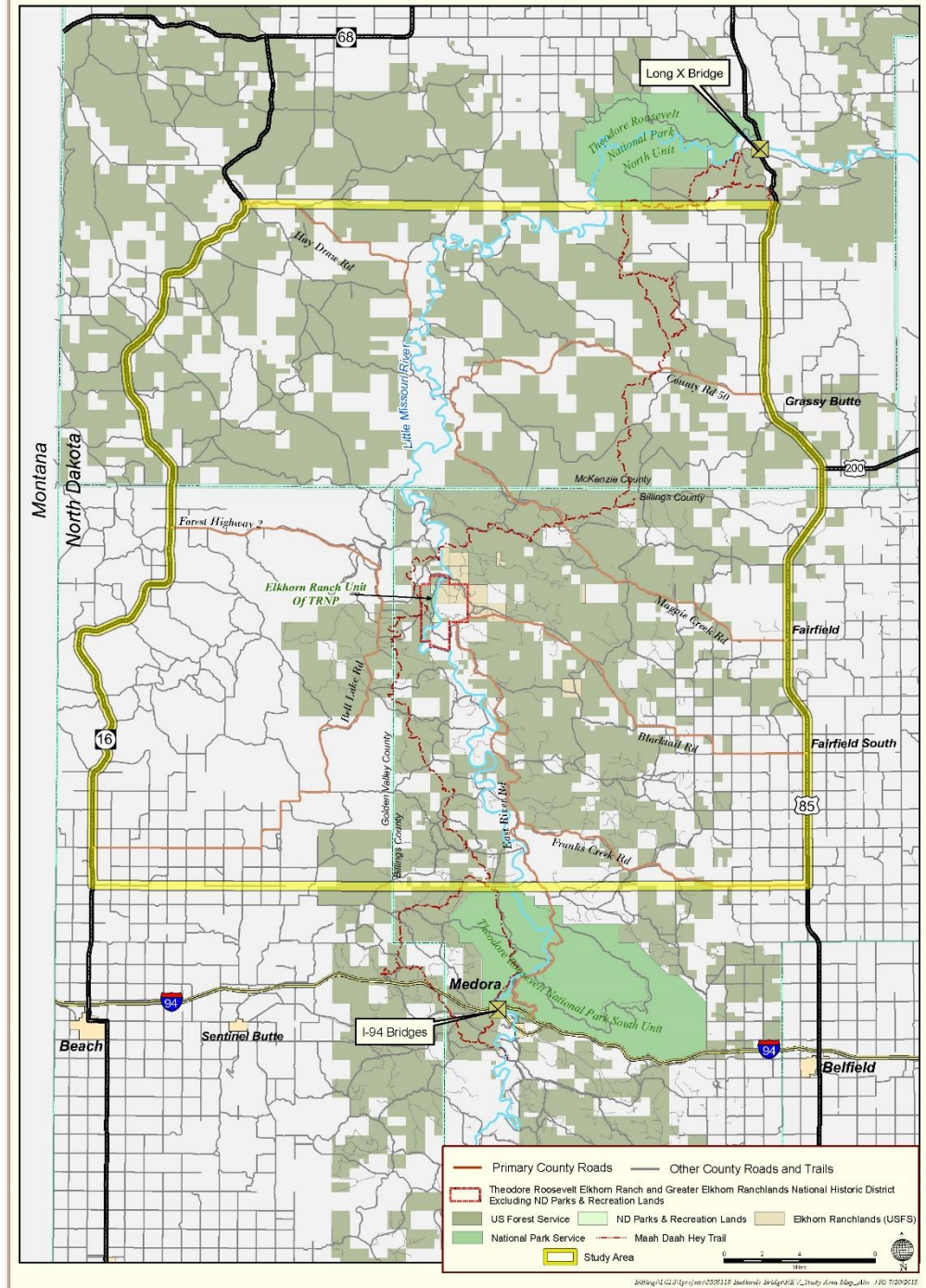


Figure 1, Study Area Map



II. PURPOSE OF THE COORDINATION PLAN

This coordination plan has been established to satisfy requirements of Section 6002 of Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The purpose of this plan is to identify the environmental review process for public and agency participation in, and comment on, the EIS at varying levels of development. In accordance with Section 6002, the Notice-of-Intent initiating the EIS process was initially published in the Federal Register on October 12, 2006 and republished on December 10, 2010.

III. LEAD AGENCIES

The joint lead agencies for the proposed project are the Federal Highway Administration, North Dakota Department of Transportation, and Billings County.

The key contacts for the lead agencies are listed below.

AGENCY	CONTACT	PHONE	EMAIL
FHWA	Gary Goff	701 221 9466	gary.goff@dot.gov
FHWA	Sheri Lares	701 221 9464	sheri.lares@dot.gov
FHWA	Wendall Meyer	701 221 9460	wendall.meyer@dot.gov
NDDOT	Bryon Fuchs	701 328 2516	blfuchs@nd.gov
NDDOT	Bob Christensen	701 328 4539	rchrste@nd.gov
NDDOT	Kent Leben	701 328 3482	khleben@nd.gov
Billings County	Jim Arthaud	701 623 4461	

The bolded contacts are the main contact for the agency/entity.

A. Lead Agency Process

The lead agencies are those with jurisdiction over the proposed project and are ultimately responsible for the development of the environmental document to meet the requirements of NEPA.

B. Roles of Lead Agencies

The roles of the lead agencies will be to:

- ◆ Develop the coordination plan.



- ◆ Collaborate with the cooperating and participating agencies in development of the purpose and need, range of alternatives, and determine methodologies for the alternatives analysis.

Lead Agencies will also provide the final approval of the purpose and need, range of reasonable alternatives, methodologies for the alternatives analysis, and the preferred alternative. FHWA will provide the final approval of the Draft EIS, Final EIS, and the Record of Decision (ROD).

IV. COOPERATING AGENCIES

The cooperating agencies for the proposed project are the US Army Corps of Engineers and the US Forest Service.

The key contacts for the cooperating agencies are listed below.

AGENCY	CONTACT	PHONE	EMAIL
USACE	Patsy Crooke	701 255 0015	Patsy.J.Crooke@usace.army.mil
USACE	Dan Cimarosti	701 255 0015	Daniel.E.Cimarosti@usace.army.mil
USFS	Robert Swithers	701 989 7319	robertsswithers@fs.fed.us
USFS	Ron Jablonski	701 225 5151	rjablonski@fs.fed.us

The bolded contacts are the main contact for the agency.

A. Cooperating Agency Process

The cooperating agencies were selected using one or all of the following processes:

- ◆ Upon request of the lead agency, any federal agency which has jurisdiction by law shall be a cooperating agency.
- ◆ An agency with special expertise may be a cooperating agency.
- ◆ An agency may request the lead agency to designate it a cooperating agency.

B. Roles of Cooperating Agencies

The roles of the cooperating agencies will be to:

- ◆ Participate in the scoping process
- ◆ Participate in defining the purpose and need
- ◆ Participate in determining the range of alternatives
- ◆ Participate in refining the methodologies for the alternative analysis
- ◆ Review the Draft EIS
- ◆ Participate in determining the level of design detail for the preferred alternative
- ◆ May adopt the lead agencies' EIS without re-circulating the document



- ◆ May assume, on request of the lead agencies, responsibility for developing information and preparing a portion of the EIS for which the agency has special expertise

V. PARTICIPATING AGENCIES

There are 11 participating agencies for the proposed project. Two agencies declined to participate¹.

The key contacts for the participating agencies are listed below.

AGENCY	CONTACT	PHONE	EMAIL
National Park Service	Wendy Ross	701 623 4466	Wendy_Ross@nps.gov
National Park Service	Nick Chavence	402 661 1844	nicholas_chavence@nps.gov
Natural Resources Conservation Service	Mary Podoll	701 530 2003	mary.podoll@nd.usda.gov
US Environmental Protection Agency	Dana Allen	303 312 6870	allen.dana@epa.gov
US Environmental Protection Agency	David Fronczak	303 312 6096	fronczak.davidepa.gov
US Environmental Protection Agency	Carol Anderson	303 312 6058	anderson.carol@epa.gov
US Fish & Wildlife Service	Terry Ellsworth	701 355 8505	Terry_ellsworth@fws.gov
US Fish & Wildlife Service	Kevin Shelley	701 355 8512	Kevin_shelley@fws.gov
NDDES Department of Homeland Security	Cody Schulz	701 328 8256	cjschulz@nd.gov
ND Department of Health	Peter Wax	701 328 5210	pwax@nd.gov
ND Department of Health	David Glatt	01 328 5150	dglatt@nd.gov
ND Game & Fish Department	John Schumacher	701 328 6321	jdschumacher@nd.gov
ND Game & Fish Department	Alexis Duxbury	701 328 6348	aduxbury@nd.gov
ND Game & Fish Department	Terry Steinwand	701 328 6300	tsteinwa@nd.gov
ND Parks & Recreation Department	Jesse Hanson	701 328 5374	jehanson@nd.gov
ND Parks & Recreation Department	Mark Zimmerman	701 328 5357	markzimmerman@nd.gov
ND Parks & Recreation Department	Kathy Duttonhefner	701 328 5370	kgduttonhefner@nd.gov
ND State Historic Preservation Office	Lisa Steckler		lstecker@nd.gov

¹ Bureau of Indian Affairs and the North Dakota Department of Tourism



AGENCY	CONTACT	PHONE	EMAIL
ND State Water Commission	Todd Sando	701 328 4942	tsando@nd.gov
Tribal Consultation Committee	Jeani Borchert	701 328 4378	jborchert@nd.gov

The bolded contacts are the main contact for the agency.

A. Participating Agency Process

The participating agencies were selected using one or all of the following processes:

- ◆ Federal agencies invited shall be designated as participating agencies unless they decline the invitation in writing.
- ◆ State, tribal, or local agencies invited must respond affirmatively to the invitation to be designated as participating agencies.

B. Roles of Participating Agencies

The roles of the participating agencies will be to:

- ◆ Participate in the scoping process
- ◆ Participate in defining the purpose and need
- ◆ Participate in determining the range of alternatives
- ◆ Participate in refining the methodologies for the alternative analysis
- ◆ Review the Draft EIS
- ◆ Participate in determining the level of design detail for the preferred alternative
- ◆ Identify any issues of concern regarding potential environmental or socioeconomic impacts
- ◆ Participate in the issue resolution process
- ◆ Provide input on unresolved issues

VI. PUBLIC AND INTERESTED PARTIES (OTHER AGENCIES AND PUBLIC INTEREST GROUPS)

A. Section 106 Consulting Parties Process

There are two consulting parties in the Section 106 (of the National Historic Preservation Act) Process: the Tribal Consultation Committee and the National Trust for Historic Preservation.

The Tribal Consultation Committee is referred to as a By-Right Consulting Party because of its attachment to religious and cultural significance of historic properties that may be affected by an undertaking (whether on or off tribal lands).



The National Trust for Historic Preservation is referred to as an Other Consulting Party because of its demonstrated interest in the undertaking. This other consulting party has the right to receive information and make its views known at various points in the process, but does not have the right to veto a project decision.

B. Methods for Communicating with Consulting Parties

The Section 106 regulations (36 CFR 800) outline specific points at which consulting parties must be involved:

- ◆ **During Historic Property Identification:** If no historic properties are found, the agency provides appropriate documentation to the SHPO/THPO and notifies consulting parties of the finding of No Historic Properties Affected.
[See § 800.4 Identification of historic properties.]
- ◆ **During the Determination of Effect:** If historic properties are found but will not be adversely affected, the agency provides appropriate documentation to the SHPO/THPO and notifies consulting parties of the finding of No Adverse Effect.
[See § 800.4 Identification of historic properties.]
- ◆ **In Case of SHPO/THPO Objection:** If the SHPO/THPO objects to the No Historic Properties Affected or No Adverse Effect finding, the documentation is forwarded to the ACHP for their advisory opinion, and concurrently, the agency must notify all consulting parties and invite their views.
[See § 800.4 Identification of historic properties.]
- ◆ **On the Determination of an Adverse Effect:** If the agency makes a determination that a property will be adversely affected under the Section 106 regulations, the agency must notify the ACHP and the consulting parties to invite their views. This notification must be accompanied by documentation of the finding of Adverse Effect. The agency will consider the views of the consulting parties, as well as the public, in seeking ways to avoid, minimize, or mitigate adverse effects to historic properties. A consulting party may also request the ACHP to join the consultation.
[See § 800.5 Assessment of adverse effects.]
- ◆ **During Development of Mitigation Measures:** The agreed-upon measures to address the adverse effect are incorporated into an MOA developed by the agency in consultation with the SHPO/THPO and other consulting parties.
[See § 800.6 Resolution of adverse effects.]

C. Involving the Public



In addition to involvement with the Consulting Parties on the proposed Federal undertaking, information about the undertaking and its effects on historic properties must be provided to the public and public comment must be sought. The lead agencies will provide the public and other interested parties with opportunities for input in a variety of ways, including:

- ◆ Public Scoping/Purpose and Need Development/Range of Alternatives Meeting
- ◆ Alternatives Public Workshops
- ◆ Public Hearing(s)
- ◆ Review of the Draft EIS

VII. MEETINGS

A. Lead and Cooperating Agencies

Regular monthly meetings will be scheduled with the lead and cooperating agencies beginning in January 2012 and continuing throughout the duration of the proposed project. Additionally, the lead and cooperating agencies will be invited to participate in all participating agency meeting(s), public workshops, and the public hearing(s). The lead agencies and the consultant will provide advance notice of all meetings by email 14 days prior to each workshop/hearing event.

B. Participating Agencies

Regular monthly meetings with the participating agencies will not be scheduled. When project milestones are reached, meeting(s) may be held with the participating agencies (lead and cooperating agencies will also be encouraged to attend) to fulfill the requirements of Section 6002 of SAFETEA-LU. Additionally, participating agencies will be invited to attend all public workshops and public hearing(s). The lead agencies and the consultant will provide advance notice of all meetings by email 14 days prior to each workshop/hearing event.

C. Public and Interested Parties

As required by Section 6002 of SAFETEA-LU, the public and other interested parties will be invited to participate in a minimum of three public meetings: the public scoping meeting, alternatives public workshops, and the public hearing(s). The public will be informed of the meetings by newspaper advertisements and press releases. In addition, the consultant will send meeting notices to area property owners and interested parties prior to any public meetings, serving as an invitation to the meetings. The newspaper advertisements, press releases, and property owner notices will provide information about the project, updates on the progress, and solicit specific feedback when needed. Newspaper advertisements announcing the upcoming public meetings will be published in the Billings County Pioneer, Dickinson Press, and the Bismarck Tribune. The newspaper advertisements will be



published once, 15 to 21 days prior to the meetings. Public service announcements will be sent to local news media seven days prior to the public meetings. Project information can also be viewed on the website at www.billingscountynynd.gov.

VIII. COMMENT PERIODS

- ◆ Draft EIS—a minimum comment period of 45 days up to a maximum comment period of 60 days from the time the Notice-of-Availability is published in the Federal Register.
- ◆ All other comment periods will be a maximum of 30 days, unless otherwise established by agreement of the lead agencies and all cooperating and participating agencies. In this case, consideration of the volume and complexity of the material to be reviewed shall determine the appropriate comment period.

IX. SCHEDULE

Please note: The intent and priority of the project team will be to adhere to the project schedule. In the event that circumstances do not allow the project team to attain milestone dates, a new project schedule will be submitted to participating and cooperating agencies. Updates to the public and other interested parties will be disclosed at the public meetings and on the project website at www.billingscountynynd.gov.

PROJECT ACTIVITIES	COMPLETION DATE OR EXPECTED COMPLETION DATE
Notice-of-Intent	October 12, 2006
Invitations to Cooperating/Participating Agencies	December 1, 2006
Notice of Availability of Coordination Plan	February 19, 2007
Solicitation-of-Views	February 19, 2007
Agency Scoping/Purpose and Need/Range of Alternatives	March 5, 2007
Public Scoping/Purpose and Need/Range of Alternatives	March 5 & 12, 2007
Re-solicitation of Views	May 14, 2007
Agency Alternatives Workshop #1	July 22, 2008
Public Alternatives Workshop #1	July 17 & 22, 2008
Notice-of-Intent #2	December 6, 2010
Notice of Availability of Updated Coordination Plan	February 2012
Re-solicitation of Views	May/June 2012
Agency Alternatives Workshop #2	May 2012
Public Alternatives Workshop #2	June 2012
Draft Environmental Impact Statement, Notice-of-Availability (45 days)	Summer 2016
Public Hearing	Summer 2016
Final Environmental Impact Statement, Notice of Availability	Winter 2016
Record of Decision	Winter 2016





Advisory Circular (AC) 120-66B, Aviation Safety Action Programs (ASAP), as amended, and a memorandum of understanding between the FAA, the certificate holder and, where applicable, pilot or maintenance-technician groups. As with ASAP, the objective of the RIEP is to encourage the voluntary reporting of safety information not otherwise available that could be critical in identifying casual factors leading to accidents, incidents—particularly runway incursions, and violations.

We encourage certificate holders and representatives of pilot and maintenance-technician groups having ASAP programs to incorporate RIEP as a voluntary part of their ASAP process by providing RIEP awareness information to their pilot and maintenance-technician groups.

We strongly encourage ASAP programs, and their event review committee (ERC) members to provide the RIEP Questionnaire to pilot or maintenance technician who submits an ASAP report involving a runway incursion or surface incident, and to request voluntary completion of the questionnaire by that employee.

Note that RIEP Questionnaires are located in FSAW 04-09 *et al.* (see above), Appendices 8 and 9.

In the case of a sole source report, the employee should be instructed not to enter the name identification information requested in Section 1 of the questionnaire. With the ERC's concurrence, that ASI should provide the completed questionnaire to the appropriate FSDO or CMO, which would process the safety data in accordance with Joint FSIB FSAW 04-09, *et al.* For runway incursions or safety events accepted under an accepted ASAP MOU, the guidance in FAA Order 8400.10, Volume 1, Chapter 5, Section 1, paragraph 293E concerning enforcement investigation coordination of alleged violations applies.

RIEP Continuation

This continuations of the RIEP will be in effect for 24 months beginning the effective date listed above.

Issued in Washington, DC on August 2, 2006.

Marion C. Blakey,
Administrator.

[FR Doc. 06-8619 Filed 10-11-06; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Second Meeting, Special Committee 211, Nickel-Cadmium, Lead Acid and Rechargeable Lithium Batteries

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 211, Nickel-Cadmium, Lead Acid and Rechargeable Lithium Batteries.

SUMMARY: The FAA is issuing this notice to advise the public of a first meeting of RTCA Specialist Committee 211, Nickel-Cadmium, Lead Acid and Rechargeable Lithium Batteries.

DATES: The meeting will be held October 31–November 1, 2006, from 9 a.m.–5 p.m.

ADDRESSES: The meeting will be held at RTCA, Inc., 1828 L Street, NW., Suite 805, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC 20036; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org> for directions.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 211 meeting. The agenda will include:

- October 31–November 1:
- Opening Plenary Session (Welcome, Introductions, and Administrative Remarks, Agenda Overview).
- Review/Approve Change 1 to DO-293.
- Discuss and decide if the Lithium Rechargeable Batteries Special Requirements can be added to DO-293 or a new separated standards as needed.
- Develop Lithium MOPS (Minimum Operational Performance Standard).
- Closing Plenary Session (Other Business, Establish Agenda, Date and Place of Next Meeting, Adjourn).

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on September 27, 2006.

Francisco Estrada C.,
RTCA Advisory Committee.

[FR Doc. 06-8617 Filed 10-11-05; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Billings County, ND

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed roadway project and river crossing over the Little Missouri River in Billings County, North Dakota.

FOR FURTHER INFORMATION CONTACT: Mark Schrader, Environment and Right-of-Way Engineer, Federal Highway Administration, 1471 Interstate Loop, Bismarck, North Dakota 58503, Telephone: (701) 250-4343 Extension 111. Blane Hoesel, Local Government, North Dakota Department of Transportation, 608 E. Boulevard Avenue, Bismarck, North Dakota 58505-0700, Telephone: (701) 328-3482.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the North Dakota Department of Transportation and Billings County, will prepare an environmental impact statement (EIS) on a proposal to provide a roadway by either upgrading and/or new construction to a proposed river crossing over the Little Missouri River in Billings County, North Dakota. The proposed project would be located between the northern border of the Billings County line, the western border of ND Highway 16, the eastern border of U.S. Highway 85, and the southern border of the Theodore Roosevelt National Park.

The proposed project in the corridor is considered necessary to provide for system linkage between ND Highway 16 and U.S. Highway 85 and for a variety of socioeconomic demands, such as emergency management services, industry, agriculture, and recreation. Alternatives under consideration include: (1) Taking no action; (2) construction of a river crossing structure: bridge, low-water crossing, or box culvert; (3) different roadway alignments to the river crossing, including upgrading and/or

constructing roadways to meet NDDOT guidelines/standards.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public meetings will be held between October 2006 and March 2007. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The Draft EIS will be available for public and agency review and comment prior to the public hearing. Formal scoping meetings will be held for the agencies and the public.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above. (Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program).

Issued on: October 5, 2006.

Allen R. Radliff,

Division Administrator, Federal Highway Administration.

[FR Doc. E6-16887 Filed 10-11-06; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirements (ICRs) abstracted below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICRs describe the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collections

of information was published on August 2, 2006 (71 FR 43837).

DATES: Comments must be submitted on or before November 13, 2006.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Gina Christodoulou, Office of Financial Management, RAD-43, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6139). (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On August 2, 2006, FRA published a 60-day notice in the **Federal Register** soliciting comment on ICRs that the agency was seeking OMB approval. 71 FR 43837. FRA received no comments in response to this notice.

Before OMB decides whether to approve this proposed collection of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30 day notice is published. 44 U.S.C. 3507 (b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30 day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirements (ICRs) and the expected burden. The revised requirements are being submitted for clearance by OMB as required by the PRA.

Title: Inspection Brake System Safety Standards For Freight and Other Non-Passenger Trains and Equipment (Power Brakes and Drawbars).

OMB Control Number: 2130-0008.

Type of Request: Extension of a currently approved collection.

Affected Public: Businesses.

Form(s): N/A.

Abstract: Section 7 of the Rail Safety Enforcement and Review Act of 1992, Public Law No. 102-365, amended Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421, 431 *et seq.*), empowered the Secretary of Transportation to conduct a review of the Department's rules with respect to railroad power brakes and, where applicable, prescribe standards regarding dynamic brake equipment. In keeping with the Secretary's mandate and the authority delegated from him to the FRA Administrator, FRA published a comprehensive regulatory revision of the then current requirements related to the inspection, testing, and maintenance of the brake equipment used in freight car operations. The Final Rule focused solely on freight and other non-passenger trains, and codified and solidified the maintenance requirements related to the power brake system and its components. The collection of information is used by FRA to monitor and enforce safety requirements related to power brakes on freight cars. The collection of information is also used by locomotive engineers and road crews to verify that the terminal air brake test has been performed in a satisfactory manner.

Annual Estimated Burden Hours: 844,452.

ADDRESSES: Send comments regarding these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503; **Attention:** FRA Desk Officer.

Comments are invited on the following: Whether the proposed collections of information are necessary for the proper performance of the functions of FRA, including whether the information will have practical utility; the accuracy of FRA's estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

Authority: 44 U.S.C. 3501-3520.



Issued in Washington, DC, on November 30, 2010.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA-2010-1134.
Petitioner: AerSale.
Section of 14 CFR Affected: Sections 25.561, 25.562, 25.853, and Appendix F of part 25.
Description of Relief Sought: AerSale seeks a limited-time exemption from the certification process described in §§ 25.561, 25.562, 25.853, and Appendix F of part 25, to allow installation of existing inventory of Koito seats, which are the subject of NPRM 2010-NM-156-AD.

[FR Doc. 2010-30425 Filed 12-3-10; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Billings County, North Dakota

AGENCY: Federal Highway Administration (FHWA), DOT.
ACTION: Revised Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed roadway project and river crossing over the Little Missouri River within a study area bounded by the southern border of the North Unit of Theodore Roosevelt National Park (TRNP), the northern border of the South Unit of TRNP, the eastern border of U.S. Highway 85, and the western border of N.D. Highway 16.

FOR FURTHER INFORMATION CONTACT: Mark Schrader, Environment and Right-of-Way Engineer, Federal Highway Administration, 1471 Interstate Loop, Bismarck, North Dakota 58503, Telephone: (701) 250-4343 Extension 111. Bryon Fuchs, Local Government Division, North Dakota Department of Transportation, 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, Telephone: (701) 328-2516.

SUPPLEMENTARY INFORMATION: On October 12, 2006, the FHWA, in cooperation with the NDDOT, published a Notice of Intent to develop an Environmental Impact Statement (EIS) for a proposed roadway project and river crossing over the Little Missouri River within a study area bounded by the northern border of the Billings County line, the southern border of the South Unit of Theodore Roosevelt National Park (TRNP), the eastern

border of U.S. Highway 85, and the western border of N.D. Highway 16. This project is ongoing and, since the initial Notice of Intent, the northern limits of the study area have been expanded to the southern border of the North Unit of TRNP. Additionally, the southern limits of the study area have been decreased to the northern border of the South Unit of TRNP. The Elkhorn Ranch Unit of TRNP is excluded from the project study area.

The purpose of the proposed project is to provide for the safe and efficient movement of people and commerce. Specifically, the purpose of the proposed project is to:

- Improve the transport of goods and services within the study area;

- Provide the public with a centrally accessible, safe, efficient, and reliable link between ND Highway 16 and US Highway 85 within the study area (system linkage);

- Connect the transportation network on the east side of the Little Missouri River to the transportation network on the west side of the Little Missouri River (internal linkage);

- Accommodate a variety of vehicles ranging from a two-wheel drive passenger vehicle to agricultural, commercial, and industrial vehicles and equipment.

The safe and efficient movement of people and commerce would be accomplished by improving connectivity through construction of a reliable crossing of the Little Missouri River, and upgrading existing roadways and/or creating new roadways to best meet roadway design standards. Alternatives under consideration include: (1) Take no action; (2) construction of a river crossing structure: bridge or low-water crossing; and (3) different roadway alignments to the river crossing, including upgrading and/or constructing roadways to meet NDDOT guidelines/standards.

Letters describing the proposed action and soliciting comments were distributed to appropriate Federal, State, and local agencies, as well as other interested parties, in February and May of 2007. Scoping meetings and alternatives public workshops were also held with agencies and the public in March and July of 2008. Due to the passage of time, Federal, State, and local agencies, as well as other interested parties, will be re-solicited for their views on the proposed action. Additional public workshops on the alternatives will be held. In addition, a public hearing will be held. Public notice will be given of the time and place of the meetings and hearing. The Draft EIS will be available for public

and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: November 29, 2010.

Wendall Meyer,
Division Administrator, Federal Highway Administration.

[FR Doc. 2010-30424 Filed 12-3-10; 8:45 am]
BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in Wisconsin

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation on claims for judicial review of actions by FHWA, Army Corps of Engineers (USACE), and Other Federal Agencies.

SUMMARY: This notice announces actions taken by FHWA that are final within the meaning of 23 U.S.C. 139(1)(1). The actions relate to a proposed highway project, the WIS 23 Corridor Expansion Project, in the State of Wisconsin. Those actions grant approval for the project. The project will widen the existing two-lane roadway to four travel lanes with a median for an 18.6-mile segment of WIS 23 between US 151 and County P in Fond du Lac and Sheboygan Counties, Wisconsin. Specific actions include acquiring additional right-of-way, constructing two interchanges and one jug-handle interchange, constructing new travel lanes, constructing a median with a median treatment, constructing a multi-use path, installing new bridges and box culverts, removing and placing fill, removing vegetation, and providing storm water management measures. The project also includes mitigation and restoration actions which are compatible with land use plans.

DATES: By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(1)(1). A claim

